

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
Western Division

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

BRIAN LAM; NINESQUARE
CAPITAL PARTNERS LLC; NATHAN
NHAN NGUYEN; and NGUYEN
GROUP LLC,

Defendants,

and

YI PING LU; and THY STACY
NGUYEN

Relief Defendants.

Case No. 2:22-cv-06831-WLH-E

JUDGMENT AS TO
DEFENDANT NGUYEN GROUP LLC

1 This matter came before the Court on the Plaintiff Securities and Exchange
2 Commission's ("SEC") Motion for Default Judgment against NineSquare Capital
3 Partners LLC ("NineSquare") and Nguyen Group LLC ("NGL"). The Court having
4 considered the SEC's Complaint, the Motion, the supporting Memorandum of Points
5 and Authorities, the supporting declaration, and the other evidence and argument
6 presented to the Court, finds that:

7 **I.**

8 IT IS HEREBY ORDERED that the SEC's Motion for Default Judgment
9 against NGL is GRANTED.

10 **II.**

11 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that
12 NGL is permanently restrained and enjoined from violating Section 5 of
13 the Securities Act of 1933 ("Securities Act") [15 U.S.C. § 77e] by, directly or
14 indirectly, in the absence of any applicable exemption:

- 15 (a) Unless a registration statement is in effect as to a security, making use of
16 any means or instruments of transportation or communication in
17 interstate commerce or of the mails to sell such security through the use
18 or medium of any prospectus or otherwise;
- 19 (b) Unless a registration statement is in effect as to a security, carrying or
20 causing to be carried through the mails or in interstate commerce, by any
21 means or instruments of transportation, any such security for the purpose
22 of sale or for delivery after sale; or
- 23 (c) Making use of any means or instruments of transportation or
24 communication in interstate commerce or of the mails to offer to sell or
25 offer to buy through the use or medium of any prospectus or otherwise
26 any security, unless a registration statement has been filed with the
27 Commission as to such security, or while the registration statement is the
28 subject of a refusal order or stop order or (prior to the effective date of

1 the registration statement) any public proceeding or examination under
2 Section 8 of the Securities Act [15 U.S.C. § 77h].

3 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, as provided
4 in Federal Rule of Civil Procedure 65(d)(2), the foregoing paragraph also binds the
5 following who receive actual notice of this Final Judgment by personal service or
6 otherwise: (a) NGL's officers, agents, servants, employees, and attorneys;
7 and (b) other persons in active concert or participation with NGL or with
8 anyone described in (a).

9 **III.**

10 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that
11 NGL is permanently restrained and enjoined from violating Section 15(a)
12 of the Securities Exchange Act of 1934 [15 U.S.C. § 78o(a)] ("Exchange Act"), in
13 connection with the purchase or sale of a security, by the use of means or
14 instrumentalities or interstate commerce, of the mails, or of the facilities of a national
15 securities exchange, directly or indirectly effecting transactions in, or inducing or
16 attempting to induce the purchase or sale of, securities without being registered with
17 the SEC, or affiliated with a broker-dealer registered with the SEC.

18 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, as
19 provided in Federal Rule of Civil Procedure 65(d)(2), the foregoing paragraph also
20 binds the following who receive actual notice of this Judgment by personal service or
21 otherwise: (a) NGL's officers, agents, servants, employees, and attorneys;
22 and (b) other persons in active concert or participation with NGL or with
23 anyone described in (a).

24 **IV.**

25 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that
26 NGL shall pay disgorgement jointly and severally with co-defendant Nathan Nguyen
27 in an amount to be determined by the Court following an omnibus remedies motion
28 by the SEC.

1 NGL shall also pay a civil penalty in an amount to be determined by
2 the Court following an omnibus remedies motion by the SEC to determine the
3 specific penalty amount.

4 **VII.**

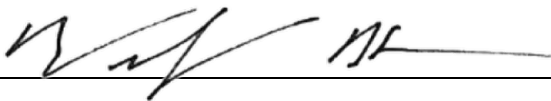
5 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that this Court
6 shall retain jurisdiction of this matter for purposes of enforcing the terms of this
7 Judgment.

8 **VIII.**

9 There being no just reason for delay, pursuant to Rule 54(b) of the Federal
10 Rules of Civil Procedure, the Clerk is ordered to enter this Judgment forthwith and
11 without further notice.

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13 **IT IS SO ORDERED.**

14
15 Dated: March 22, 2024


HON. WESLEY L. HSU
UNITED STATES DISTRICT JUDGE

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18 Presented by:

19
20 /s/ Kathryn C. Wanner
21 Kathryn C. Wanner
22 Attorney for Plaintiff
23 Securities and Exchange Commission
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